

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAY MICHAUD,

Defendant.

CASE NO. 3:15-cr-05351RJB

ORDER DENYING DISMISSAL
AND EXCLUDING EVIDENCE

This matter came before the court on the defendant's Motion to Dismiss the Indictment (Dkt. 178). In supporting briefing, the defendant also suggested an alternative remedy by excluding evidence (Dkt. 210). The court is familiar with the records and files herein and heard oral argument on the motion on May 25, 2016.

For the reasons stated orally on the record, evidence of the N.I.T., the search warrant issued based on the N.I.T., and the fruits of that warrant should be excluded and should not be offered in evidence at trial. The court should not now order dismissal.

The Motion to Dismiss (Dkt. 178) should be DENIED IN PART and GRANTED IN PART to the foregoing extent.

IT IS SO ORDERED.

1 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
2 to any party appearing *pro se* at said party's last known address.

3 Dated this 25th day of May, 2016.

4 
5

6 ROBERT J. BRYAN
7 United States District Judge
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24